UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MIRIAM MCKNIGHT,

Plaintiff,

v.

CITY OF ROCHESTER, et al.,

Defendants.

ORDER

11-CV-6328P

Plaintiff Miriam McKnight ("McKnight") having filed a motion for summary judgment (Docket # 41), defendants having opposed the motion (Docket # 45) and cross-moved for summary judgment (Docket # 46), this Court having reviewed the parties' submissions, and oral argument having been conducted on June 25, 2014 and December 11, 2014, it is hereby

ORDERED, for the reasons stated more fully on the record on December 11, 2014, that the defendants' motion for summary judgment **(Docket # 46)** is **GRANTED in part, DENIED in part and RESERVED in part** and McKnight's motion for summary judgment **(Docket # 41)** is **DENIED in part and RESERVED in part**. Specifically, the Court concluded that Laura Grande was entitled to summary judgment dismissing the claims against her and that the remaining defendants are entitled to summary judgment dismissing McKnight's claims for trespass, malicious prosecution and any claim for punitive damages against the City or the individual defendants in their official capacities. The Court also concluded that issues of fact preclude summary resolution of McKnight's state law claims for false arrest, false imprisonment, abuse of process and battery, as well as her Section 1983 claim for excessive force and her claim for punitive damages against the remaining individual defendants in their individual capacities.

The Court reserved on both parties' motions for summary judgment on McKnight's state law claim asserted against the City for negligent hiring, training and supervision. The Clerk of the Court is directed to enter judgment in favor of Laura Grande.

IT IS SO ORDERED.

Marian W. Payson

MARIAN W. PAYSON
United States Magistrate Judge

Dated: Rochester, New York
December 12, 2014